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10 JONATHAN NICK MORALES

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08 JUL -1 PM 2:57

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: *EC* DEPUTY

7
8 EX PARTE

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

Honorable Roger T. Benitez

11 UNITED STATES,

12 Petitioner,

13 v.

14 JONATHAN NICK MORALES,

15 Respondent.
16

Case No. 08CR0138-BEN /

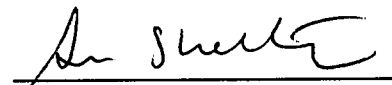
EX PARTE DECLARATION OF
COUNSEL IN SUPPORT OF EX PARTE
MOTION FOR EXTRAORDINARY
EXPENSE

17 Siri Shetty, being duly sworn, deposes and says:

- 18 1. I am an attorney duly licensed to practice law in the State of California, in the United
19 States District Court for the Southern District of California, and in the United States
20 Court of Appeals for the Ninth Circuit.
21 2. I was appointed by the United States District Court for the Southern District of
22 California to represent Defendant pursuant to the Criminal Justice Act, 18 U.S.C.
23 § 3006A(b).
24 3. I have conferred with psychologist Bruce Yanofsky, Ph.D., regarding the
25 psychological evaluation of Mr. Morales ordered by this court on June 25, 2008.
26 4. Mr. Morales is currently housed at Metropolitan Correctional Center in San Diego,
27 California.
28

- 1 5. Dr. Yanofsky estimates that it will take him approximately twelve hours to do the
2 following in connection with his evaluation: (1) review the discovery; (2) review the
3 competency report prepared by the MCC's psychiatrist; (3) review the client's past
4 psychological records; (4) interview Mr. Morales; (5) confer with defense counsel;
5 and (6) prepare a report of the evaluation.
- 6 6. Given Mr. Morales's documented history of mental health problems, I believe that an
7 evaluation is appropriate and necessary to prepare an adequate defense. Specifically,
8 Mr. Morales's mental health condition is relevant to question of whether on the date
9 of his arrest, he could form the specific intent to violate the immigration laws, as well
10 as his susceptibility to being tricked by other people into unknowingly transporting
11 illegal aliens.

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13 I so declare, this July 1, 2008, in San Diego, California.

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15 Declarant and Attorney for Defendant
16 Email: attyshetty@yahoo.com
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